

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MASSACHUSETTS

GALENSKI FARM,

Plaintiff,

v.

NUTRIEN AG SOLUTIONS, INC., f/k/a
CROP PRODUCTION SERVICES, INC.,

Defendant.

Case No.

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that the defendant Nutrien Ag Solutions Inc. (“Nutrien”), by and through its undersigned counsel, hereby removes to this Court the state court action described below:

1. On January 2, 2020, plaintiff filed an action in the Franklin County Superior Court in the Commonwealth of Massachusetts, captioned *Galenski Farm v. Nutrien Ag Solutions, Inc. f/k/a Crop Production Services, Inc.*, Civil Action No. 2078-CV-00001. A copy of the complaint is attached hereto as **Exhibit A**.
2. Nutrien’s registered agent was served with the complaint on January 17, 2020.
3. No additional pleadings have been filed in the state court action.
4. There are no other defendants in this matter.
5. This Notice of Removal has been filed within 30 days after Nutrien was served with the complaint. Removal is therefore timely under 28 U.S.C. § 1446(b).
6. Plaintiff alleges that it is a sole proprietorship with its principal place of business in South Deerfield, Massachusetts.

7. Nutrien is a Delaware corporation with its principal place of business in Loveland, Colorado. The plaintiff agrees that Nutrien's principal place of business is in Colorado. **See Exhibit A, ¶2.**

8. Complete diversity exists because Nutrien is not a citizen of Massachusetts. 28 U.S.C. § 1332(a)(1) and (c)(1).

9. Plaintiff demands a sum in excess of \$750,000 in the complaint, meeting the minimum sum in controversy requirement of 28 U.S.C § 1332(a).

10. Accordingly, this Court has jurisdiction of this matter pursuant to 28 U.S.C § 1332.

11. Venue is proper in this Court as the plaintiff has a principal place of business in Franklin County.

12. Nutrien will promptly provide written notice of this Notice of Removal to the plaintiff.

13. Nutrien will promptly file a copy of this Notice of Removal with the clerk of the Franklin County Superior Court.

14. Nutrien will obtain certified copies of the docket sheet and all pleadings filed in the state court action and will file them with this Court within 28 days of the date hereof.

15. Wherefore, Nutrien respectfully requests that this action proceed in the United States District Court for the Western District of Massachusetts as a matter properly removed thereto.

DATED this 4th day of February, 2020.

*Defendant Nutrien Ag Solutions, Inc.,
By its attorneys*

/s/ E. Kate Buyuk

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of February 2020, I filed the above-referenced document electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

/s/ E. Kate Buyuk

E. Kate Buyuk